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TAGS: [MARR](#) [PBTS](#) [PREL](#) [SOCI](#) [SU](#) [KE](#)
SUBJECT: BACKGROUND ON UNREST ALONG SOUTH SUDAN'S BORDER
WITH KENYA

Classified By: CDA Robert E. Whitehead for reasons 1.4 (b) and (d)

¶1. (sbu) During a meeting with Kenyan Ambassador Robert Ngesu on IGAD issues, Charge raised reported clashes between Sudanese Toposa, Kenyan Turkana and Kenyan security forces in the border area not far from Lokichoggio. Local press reports reported the death of 16 Kenyan soldiers in one recent engagement; a subsequent press release from the Kenyan Ministry of Defense denied that the Kenyan military had suffered any casualties. Ngesu insisted that the latter was accurate, and explained that the current problems stemmed from long-standing tribal rivalries as well as past Kenyan support for the Sudan People's Liberation Army (SPLA) during its armed struggle against the Sudanese Armed Forces (SAF).

¶2. (c) Ngesu said that the 30 kilometer-wide swath of territory between Lokichoggio and the historical border crossing with Sudan at Nadapal has long been a bone of contention between Toposa and Turkana tribesmen, who each claim the area's rich grazing and water rights. This rivalry intensified during the conflict between the SPLA and Khartoum's forces during the 22 year-long civil war. With Kenyan approval, SPLA leader John Garang established his headquarters at New Site along with two other SPLA bases located on the Kenyan side of the border. Ngesu said this was by design to prevent a SAF offensive from overrunning or bombing Garang's garrison without the risk of a Kenyan reaction. Because of the large number of armed fighters present and inherent security risks, the Kenyan population of the area pulled back, and Toposa herders from South Sudan moved in.

¶3. (c) After the 2005 establishment of the Government of South Sudan (GoSS), Ngesu continued, Kenya sought to re-establish the old border and develop the area in order to take advantage of growing commercial ties between Kenya and South Sudan. The Ministry of Foreign Affairs proposed the re-opening of the traditional border crossing with immigration, customs and security facilities at Nadapal. The Toposa, who were using the territory area and who had already begun to raid and skirmish with Turkana herders who were moving back into the strip, rejected the Kenyan position. They insisted that the territory was South Sudan's and thus rightfully theirs. SPLA forces supported the claim: when the Kenyan Minister of Immigration attempted to approach a contested SPLA border post two months ago, he was turned back at gun point

¶4. (c) Ngesu said that the GOK is taking steps to address the problem. After recent clashes, Kenya has stationed additional security forces nearby. A Kenyan security team will meet with counterparts from South Sudan to discuss how to maintain peace along the border, and next month the Kenyan Minister of Interior is scheduled to travel to Juba for talks. Ngesu said that it was important to avoid

confrontation between Kenyan security forces and the SPLA, and he conceded that it was possible that there might have been casualties from the most recent clash after all.

15. (c) Comment. Kenya may have provided the SPLA safe havens in Kenyan territory during the Sudan civil war, but our research indicates that New Site is located on Sudanese territory and was not one of those. Border points along the Ugandan frontier with South Sudan have experienced problems over territorial claims similar to those near Nadapal.

WHITEHEAD